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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,618	09/15/2003	John W. Chamberlain	0112300-752	9761

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BELL, BOYD & LLOYD LLP
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CHICAGO, IL 60690

EXAMINER

PANDYA, SUNIT

ART UNIT	PAPER NUMBER
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3714

NOTIFICATION DATE	DELIVERY MODE
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01/29/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENTS@BELLBOYD.COM

Office Action Summary

Application No.

10/662,618

Applicant(s)

CHAMBERLAIN ET AL.

Examiner

SUNIT PANDYA

Art Unit

3714

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-22 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-22 and 24-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>12/3/08</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is in response to amendments filed 11/06/08, wherein the examiner acknowledges that no claims have been amended, added or canceled, consequently claims 1-15, 17-22 & 24-29 are currently pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The said claim, states that the display is the first display and which includes a second display that displays the game. The examiners cannot comprehend if there are two separate display devices or one display device capable of displaying the game. For the purpose of examination of this claim, the examiner will give this claim broadest reasonable claim interpretation.

Claim 14 recites the limitation "...a second processor operating without direct communication between the first controller and the second controller" in the last line of the claim. There is insufficient antecedent basis for this limitation in the claim. The claim fails to particularly point out how the controllers are supported in the game.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15, 17-22, 24-29 are rejected under 35 U.S.C. 102(b) as being anticipated by Lucero (US Patent 6,019,283).

Claims 1, 17: Lucero discloses of a gaming device operable to request and receive fund electronically, wherein the gaming machine comprising a game processor operable to receive a wager from a player to initiate game (figures 2 & 3, and col. 3: 58-65), Lucero also discloses of a card reader which is operable with the controller which is controller operable to process electronic fund request by the player, wherein the there is no direct communication between the fund controller and the game processor (col. 4: 44-53 & col. 5: 3-13, wherein the EFT controller approves the monetary transfer from the off sight repository and upon completion of the transfer, the game is activated, thus there is never any direct communication between the fund controller and the game processor). Lucero also discloses of a payment device operable to provide a monetary amount to a player upon inserting a card and receiving an approval from the electronic fund transfer request from a remote fund repository that communicates with the EFT controller via a banking network (col. 4: 20-54), all of the said devices are withheld in a housing which supports the said devices(figure 1, element 10).

Claim 2: Lucero discloses that the card is a credit card or a debt card (col. 3: 58-65).

Claim 3: Lucero discloses that the amount is gaming device credits (col. 4: 35-43).

Claim 4: Lucero discloses that the payment device is a credit meter(col. 7: 23-43).

Claim 5: Lucero discloses of a gaming device which includes a display operable with the electronic fund controller to display the transfer request on the display device (col. 4: 44-65).

Claim 6: Given the broadest reasonable claim interpretation, the examiner interprets the said claim as having one display device capable of displaying both the credit information and the game play, which is disclosed by Lucero (figure 1).

Claim 7: Lucero discloses of an input device operable with the fund transfer controller that enables the user to input fund transfer information (col. 4: 20-43).

Claim 8: Lucero discloses of that the banking or the monetary repository network is a wide area network (col. 5: 61-67 & col. 6: 59-66).

Claims 9, 18, 28: Lucero discloses that the banking network being an internet (col. 5: 60-66, figure 2, element 30).

Claim 10: Lucero discloses of a local area network that interfaces with the banking network and the local gaming machines (figure 6, col. 7: 42-66).

Claim 11: Lucero discloses that the local casino network supports casino player fund transfer (col. 5: 3-67, wherein fund transfer could be transfer of fund from the financial institute and back to the financial institute).

Claim 12: Lucero discloses of a ticket validation system that keeps track of monetary amount provided to the players (col. 5: 3-34).

Claim 13: Lucero discloses of IC that interfaces between the game processor and the local casino network (col. 5: 48-67 & cols. 7-8: 43-3).

Claims 14: Lucero discloses of a gaming device operable to request and receive fund electronically, wherein the gaming machine comprising a game processor operable to receive fund transfer request from a player, wherein the there is no direct communication between the fund controller and the game processor (col. 4: 44-53 & col. 5: 3-13). Lucero discloses of sending the request to a remote fund repository that generates a response to the request (col. 4: 17-53). Lucero also discloses of a printer that prints ticket of the amount request and approved (col. 37-43).

Claim 15: Lucero discloses of the fund transfer request which includes a PIN number (col. 4: 44-65).

Claim 19: Lucero discloses of allowing plurality of different financial institutes to be accessed through the gaming machine (col. 3: 58-65).

Claim 20: Lucero discloses of a casino network wherein plurality of game machines are linked together on (col. 7: 43-50).

Claim 21: Lucero disclose of gaming machine having possibility of slot, poker and other similar types of games (wherein it would be within Lucero's grasp to implement different types of games on a gaming floor to allow variety of game play).

Claims 22, 29: Lucero discloses that the network is a local area network (col. 7: 43-51).

Claim 24: Lucero discloses of a printer that prints ticket of the amount request and approved (col. 37-43, thus having monetary value on the ticket).

Claim 25: Lucero incorporates Pellegrini's Patent 4,575,622, within his own patent (col. 4: 1-2), and Pellegrini discloses of a printer located on the gaming machine.

Claim 26: Lucero discloses of a gaming device operable to request and receive fund electronically, wherein the gaming machine comprising a game processor operable to receive a wager from a player to initiate game (figures 2 & 3, and col. 3: 58-65), Lucero also discloses of a card reader which is operable with the controller which is controller operable to process electronic fund request by the player, wherein the there is no direct communication between the fund controller and the game processor (col. 4: 44-53 & col. 5: 3-13). Lucero also discloses of a payment device operable to provide a monetary amount to a player upon inserting a card and receiving an approval from the electronic fund transfer request from a remote fund repository that communicates with the EFT controller via a banking network (col. 4: 20-54), all of the said devices are withheld in a housing which supports the said devices(figure 1, element 10).

Claim 27: Lucero discloses that the payment device is a credit meter(col. 7: 23-43).

Response to Arguments

Applicant's arguments filed 11/06/08 have been fully considered but they are not persuasive.

Regarding the applicants arguments that the two processor/controllers operate without direct communications there between, because the gaming system and the EFT system maybe regulated by two different bodies. The examiner agrees with the applicant, that such systems maybe regulated by two different regulation entity, however just for such even event, Lucero discloses of a card reader which is operable with the controller which is controller operable to process electronic fund request by the player, wherein the there is no direct communication between the fund controller and the game processor (col. 4: 44-53 & col. 5: 3-13), wherein the EFT controller approves the monetary transfer from the off sight repository (such as bank or other financial institute) and upon completion of the transfer, the game is activated, thus there is never any direct communication between the fund controller and the game processor. Because the game machine deactivates the game play while the player is in contact with a banking/financial institute, and only allowing the reactivation when the transaction is concluded, thus allowing the gaming regulating entity to be never in direct contact with the banking regulating entity. Furthermore Lucero also discloses of having different networking means to communicate, wherein the EFT controller is accessing the off sight financial institute by means of a different network than the one used for the gaming machine to communicate with the casino network.

Still in addition, a bill processing facility 124 can be functionally interposed between the intermediate processing system and the remote financial institutions to accumulate information respecting the net playing credit as needed so that information defining a single line item on a player's bill from the remote financial institution can be supplied to the remote financial institution rather than accessing the remote financial institution more frequently.

Thus providing a secondary network type of facility to supervise that no direct communication between the player's access terminal, and the off sight banking/financial institute has been conducted, because all the communication has to be conducted through the mid-party communication means, thus not allowing for a direct communications path between them (figure 6).

Examiner's Note

Examiner has cited particular figures, columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant, in preparing the responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIT PANDYA whose telephone number is (571)272-2823. The examiner can normally be reached on M-F 8 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3714

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SP

/Scott E. Jones/
Primary Examiner, Art Unit 3714